

AMENDED IN SENATE AUGUST 19, 2009

AMENDED IN ASSEMBLY APRIL 23, 2009

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1470

Introduced by Assembly Member Evans

February 27, 2009

An act to amend Section 23396.5 of the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

AB 1470, as amended, Evans. Alcoholic beverage licensees.

The Alcoholic Beverage Control Act contains various provisions regulating the application for, the issuance of, the suspension of, and the conditions imposed upon, alcoholic beverage licenses by the Department of Alcoholic Beverage Control. Under existing law, a licensed winegrower that is exercising specified privileges may allow a person who has purchased and partially consumed a bottle of wine to remove that bottle from the premises upon departure.

This bill would also authorize an on-sale beer and wine public premises licensee *and a licensed winegrower who exercises his or her license privileges at specified locations* to allow a person who has purchased and partially consumed a bottle of wine to remove the partially consumed bottle from the premises upon departure. ~~The bill would restrict the authorization of licensed winegrowers to allow a person who has purchased and partially consumed a bottle of wine to remove that bottle from the premises to those licensed winegrowers~~

exercising the privilege of selling wine to consumers for consumption on the premises.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 23396.5 of the Business and Professions
2 Code is amended to read:
3 23396.5. Notwithstanding any other law, any on-sale licensee
4 that maintains a bona fide eating place in conjunction with such
5 license, any on-sale beer and wine public premises licensee, or
6 any winegrower that is exercising a privilege pursuant to paragraph
7 ~~(3) of subdivision (a) of Section 23358~~ *Section 23358 or 23390*
8 may allow any person who has purchased and partially consumed
9 a bottle of wine to remove the partially consumed bottle from the
10 premises upon departure.

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